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SUBJECT: P-5 MEET WITH UN SYG BAN

Classified By: Ambassador Susan E. Rice for reasons 1.4 (b) and (d).

¶1. (C) Summary: On March 6, UK Perm Rep Sawers hosted a P-5 lunch with Secretary General Ban Ki Moon and Under Secretary General for Political Affairs Lynn Pascoe to discuss Sudan, the DPRK, DRC, Somalia and the Middle East. Prior to the arrival of SYG Ban and U/SYG Pascoe, P-5 ambassadors and experts met to discuss Sudan and Security Council reform. End Summary.

P-5 Pre-Meeting on Sudan and Security Council Reform

¶2. (C) Before the arrival of SYG Ban and U/SYG Pascoe, P-5 ambassadors and experts briefly discussed the Government of Sudan's decision to expel key humanitarian NGOs. French PR Ripert indicated that he did not understand the link between the International Criminal Court (ICC) indictment of President Bashir and the GOS decision to expel NGOs. Ripert noted that neither remaining NGOs nor the UN could fill the gap in services that resulted from the NGOs expulsion, and he expressed frustration with the GOS punishment of its own people. Ripert indicated that he would like the Council to issue a statement.

¶3. (C) Russian PR Churkin said that any Council statement would need to be balanced, suggesting it should address both the expulsion and the indictment of Bashir. Ambassador DiCarlo argued that the Council must divorce the ICC issue from the NGO expulsions to speak with one voice on the potential humanitarian crisis that could result. Chinese PR Zhang responded that while China was concerned with the NGO expulsions, the Council must address the root causes of this expulsion to produce a balanced statement. Zhang noted that an African Union (AU) high-level delegation would explain the AU's official position and that would be the proper forum for determining how the Council should proceed. Zhang cautioned that the Council must consider the consequences of its actions, noting that the Justice and Equality Movement rebel group already had withdrawn from the political process, refusing to speak with the "criminal" Bashir.

¶4. (C) UK PR Sawers stressed that the GOS had not produced any evidence to substantiate the charges it made against NGOs. He said that the Council must not provide credence to the GOS link between the ICC indictment and the NGO expulsions. Ambassador Wolff agreed that the Council must not legitimize GOS actions. He said that the GOS decision was calculated and callous and argued that the Council must be careful not to create dangerous precedent for future situations where humanitarian aid workers could be targeted. Ambassador DiCarlo added that the Council's immediate focus must be on supporting SYG Ban and urging the GOS to reverse its decision to expel NGOs. UK PR Sawers put forward two elements for the proposed Council statement: appealing to the GOS to reverse its decision and urging rebel groups to continue engaging in political process discussions. Sawers indicated that the UK would draft a statement for P-5 consideration at the expert level immediately prior to Council consultations. (Note: Experts did negotiate this

text on the margins of consultations but were unable to reach P-5 consensus. End Note.)

15. (C) In a brief discussion on Security Council Reform, French PR Ripert noted that there is growing consensus for an intermediate solution as a first step that could lead to quick action. Ripert argued that tangible actions are necessary to avoid any weakening of Council legitimacy. Russian PR Churkin said that the Council must resist any questioning of its legitimacy and not react to pressure. He added that there would be a split within the UN if elements of an ultimate solution were only put forward piecemeal for consideration. Chinese PR Zhang said that the P-5 must be careful; while it was helpful to have P-5 discussions on this issue, any public statements could end up solidifying opposition to the P-5 position. Zhang said that an intermediate solution is a good idea but must not be implemented element by element. Ambassador Wolff said that even if the P-5 did not develop a common position, the P-5 role in SC reform would be critical in view of their Charter responsibilities. Wolff said that the P-5 should allow the UN membership to express itself -- and a solution to emerge-- avoiding the appearance of too much P-5 coordination.

Lunch with SYG Ban, U/SYG Pascoe

SUDAN

16. (C) The Secretary-General reviewed the UN's efforts in Sudan following the Sudanese government's decision to expel NGOs. He had spoken with African and Arab leaders, including

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Amr Mussa from the Arab League, Jean Ping from the AU, Libyan President Qadaffi, Qataris and Ethiopians. All responded positively to the Secretary-General's concerns and said they would try to influence Khartoum to reverse its decision to expel the NGOs. The Secretary-General also asked for P5 members to influence Khartoum in their national capacities to do the same. He believed that the recent Sudanese actions were weakening the efforts of the AU and the Arab League on Sudan's behalf.

(7. C) The Secretary-General noted that the UN cannot fill the gap if all the NGOs leave. Pascoe added that the NGOs acted as observers in the IDP camps, and with their absence, no one would know what is happening. He feared acts of violence or chaos if panic broke out within the camps. The WFP has two months worth of food stockpiled, and the Secretary-General has ordered UNAMID to protect these warehouses as a show of political resolve, in the event that the Sudanese military attempt to seize the food. The Secretary-General said that in some areas, water will run out in 48 hours, and a humanitarian crisis could erupt in a week or two. UK PR Sawers raised concerns that the JEM would use the humanitarian crisis to launch an offensive. Ambassador Wolff applauded the Secretary General's efforts, said we would not allow Bashir to link his indictment and the humanitarian situation, and said the Council could not remain silent in the face of Bashir's cynical move.

DPRK

18. (C) In the event of a DPRK launch, Chinese PR Zhang said China would want to determine the type of launch, satellite or missile. He recognized the possibility of a need for the Security Council to respond, but said that any response must also leave open a door to returning to the Six Party Talks. He proposed a press statement similar to that issued in 1998 instead of something more forceful. Ambassador Wolff said the U.S. would view a DPRK launch as a violation of UNSCR 1718, and he noted that since the 1998 press statement, the Security Council has adopted two resolutions prohibiting the launch of ballistic missiles. Therefore, the Council would need to react with something more significant than a press

statement. The UK and France agreed. Churkin said that if DPRK conducts a successful launch, Russia would support a measured response. The Secretary-General said a DPRK launch would pose a serious threat to the region. He believed China and the U.S. had the most leverage with DPRK. South Korea did not have the same leverage as in the past, he said.

DRC

¶9. (C) The Secretary-General said he was encouraged by the latest developments. He had urged Kabila and Kagame to sustain the momentum of improved relations between the two leaders. The main priorities were to strengthen state authority, security sector reform, the illegal use of natural resources and an end to sexual violence. He told Kabila that as president he had responsibility to ensure that sexual violence was not tolerated. The UN still needed helicopters; Belgium, Egypt, Bangladesh and Jordan had all contributed forces and equipment. Regarding India's decision to withdraw 4500 troops and helos, the Secretary-General said he was sending deputy Chief of Staff (and former Indian PermRep) Vijay Nambiar as well as U/SYG for Peacekeeping LeRoy to India. He had urged Kabila to send his Foreign Minister, and he asked the P5 to weigh in nationally with India to urge them to delay implementing their decision.

SOMALIA

¶10. (C) The Secretary-General said that if the situation was managed well, the UN could still make a difference. The Trust Fund was almost up and running, although AMISOM is still understaffed. He is also sending an assessment team to Mogadishu.

MIDDLE EAST

¶11. (C) Churkin said Russia was waiting for the Israelis to form a government before deciding on the date for a meeting in Moscow. The Secretary-General briefed on the conference in Sharm el-Sheikh, where 4.5 billion USD was pledged to assist the Palestinians. The Secretary-General noted three problems: 1) no durable ceasefire; 2) the closure of crossings has started to shift from being a technical problem to a political problem (no reconstruction material is going in at all, which is infuriating the Palestinians and others); and 3) divisions among Palestinians. There were also questions regarding who would manage the pledged money: PM Fayad wanted it done through him, while the Arab countries, who had pledged 1.65 billion USD, wanted to manage it themselves. He said the Ad Hoc Liaison Committee would meet

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in London in early April to discuss these issues. Regarding the status of the Board of Inquiry, the Secretary-General said the Board had asked for a little more time, which he had given them. Ambassador Wolff cautioned that continued rocket attacks from Gaza could result in another crisis in the region.
Rice